

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

FC 2008-050582

10/07/2009

HONORABLE MICHAEL D. GORDON

CLERK OF THE COURT  
M. MINKOW  
Deputy

000823961300

IN RE THE MATTER OF  
KIRK P ROBERTS

KIRK P ROBERTS  
313 W SEQUOIA DR  
PHOENIX AZ 85027

AND

VIOLETRAY MARY ANN MELTON

JOSHUA R BOYLE

AG-CHILD SUPPORT-NORTH  
CENTRAL OFFICE  
FAMILY COURT SERVICES-CCC  
LAB EXPRESS INC - PHOENIX

MINUTE ENTRY

3:05 p.m. Courtroom 108. This is the time set for Evidentiary Hearing Re: Order to Appear Re: Emergency Post Decree Temporary Order For Modification of Custody, Parenting Time and Child Support. Petitioner is present on his own behalf. Respondent is present and represented by above-named counsel.

A record of the proceedings is made by audio and/or videotape in lieu of a court reporter.

IT IS ORDERED directing the Docketing Department of the Office of the Clerk of the Superior Court to change the name on the caption of the case for Respondent from Violetray Mary Ann Melton to Violetray Mary Ann Arnold immediately.

Kirk Roberts and Violetray Arnold are sworn.

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Pursuant to agreement of the parties, on a temporary basis, Mother is awarded sole legal custody and primary physical custody of the minor children, Jada Roberts, born March 25, 2004, and Anaya Melton, born July 19, 2006.

Petitioner and Respondent both testify that they have heard and understood the agreement as dictated in the record and that this is, in fact, their agreement.

The Court accepts the parties' agreement having found that the parties have knowingly, voluntarily, and intelligently entered into the agreement and the agreement is fair, reasonable, and in the best interests of the parties' minor children.

IS ORDERED adopting and approving the agreement of the parties as a binding, temporary, agreement pursuant to Family Court Rule 69.

Because Father's circumstances have changed,

IT IS ORDERED that Father's pleading entitled "Request to move out of state with my kids," filed September 1, 2009, which was deemed a Petition to Modify and a Petition to Relocate, is withdrawn without prejudice.

Because the parties disagree on the issue of Father's parenting time, the parties accept the Court's offer to participate in a brief hearing on this issue at this time.

Kirk Roberts testifies.

Brian Crayton is sworn and testifies.

Violetray Arnold testifies.

Based on the testimony presented,

IT IS ORDERED that Father shall have parenting time with the minor children every other weekend from Friday at 6:00 p.m. to Sunday at 6:00 p.m. Father's parenting time shall be supervised by Father's mother and/or Father's stepfather. If Father's mother or Father's stepfather choose not to supervise overnight, the children shall be returned to the care of Mother. If Father's supervisors believe that the children's physical and/or emotional welfare are endangered during Father's parenting time, they shall immediately notify Mother and have Mother pick up the children.

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IT IS FURTHER ORDERED directing Father to file a formal written response to Mother's Counter Petition to Modify Custody, Parenting Time and Child Support no later than October 30, 2009.

IT IS FURTHER ORDERED DENYING Mother's oral request for a psychosexual evaluation of Father. Mother is granted leave to file a formal written motion regarding this issue.

IT IS FURTHER ORDERED that Father shall undergo a hair follicle test at Lab Express, Inc. located at 505 W. McDowell Rd., Bldg A, Phoenix, AZ 85003. Mother shall pay the cost of Father's hair follicle test to Lab Express directly no later than Friday, October 9, 2009, and Father shall undergo the hair follicle test no sooner than October 9, 2009, and no later than Friday October 16, 2009. Lab Express shall provide results of the hair follicle test to counsel for Mother, to Father and to the Court.

2:40 p.m. Matter concludes.

IT IS ORDERED signing this minute entry as a formal order of this Court pursuant to Rule 81, Arizona Rules of Family Law Procedure.

/s/ Michael D. Gordon

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MICHAEL D. GORDON  
JUDGE OF THE SUPERIOR COURT

LATER: LET THE RECORD REFLECT the courtroom clerk has updated Petitioner's address in ICIS as reflected on the Updated Address information form filed this date.

All parties representing themselves must keep the Court updated with address changes. A form may be downloaded at: <http://www.superiorcourt.maricopa.gov/SuperiorCourt/Self-ServiceCenter>.